

LAWLER, METZGER & MILKMAN, LLC

ORIGINAL

2001 K STREET, NW
SUITE 802
WASHINGTON, D.C. 20006

GILS PROBEL
PHONE (202) 777-7728

PHONE (202) 777-7700
FACSIMILE (202) 777-7763

December 9, 2002

RECEIVED

BY HAND

DEC - 9 2002

Marlene H. Dottch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re. *Ex Parte Presentation*
In the Matter of Review of the Section 251 Unbundling
Obligations of Incumbent Local Exchange Carriers,
CC Docket Nos. 01-338, 96-98, 98-147

Dear Ms. Dortch:

On December, 6, 2002, Richard Whitt, Kimberly Scardino and Henry Hultquist of WorldCom, Inc., and A. Richard Metzger, Jr., of Lawler, Metzger & Milkman, counsel to WorldCom, met with Jordan Goldstein, Senior Legal Advisor to Commissioner Copps, to discuss the above-captioned proceeding. During the meeting, WorldCom described the circumstances under which incumbent LECs should continue to be required to provide access to unbundled transport and high-capacity loops, as discussed in previous WorldCom submissions tiled in this docket.¹

WorldCom also explained the importance of being able to obtain timely migration of circuits from incumbent LEC facilities to competitors' own fiber facilities. This migration, known as grooming, plays an important role in permitting the development of competitive alternatives to incumbent-LEC provided transport. Unfortunately, Verizon and SBC are limiting the number of circuits they will groom in a given month. Until this situation is remedied, WorldCom will not consider extending competitive fiber transport facilities to additional Verizon wire centers. Verizon's refusal to perform circuit migrations in a timely fashion makes it cost-ineffective for WorldCom to deploy its own facilities. WorldCom therefore urged the Commission to take the steps necessary to ensure that incumbent LECs such as Verizon and SBC substantially increase the number of circuits they will groom each month, and are held accountable for circuits that are not groomed by the requested date.

¹ "Transport Competition and Circuit Grooming" (Sept. 30, 2002), filed with letter from H. Hultquist to M. Dortch (Oct. 1, 2002); "Hi-Cap Competition," filed with letter from R. Milkman to M. Dortch (Oct. 7, 2002); Letter from H. Hultquist, filed with letter from R. Milkman to M. Dortch (Oct. 30, 2002); and Memorandum, "Legal and Policy Considerations with Respect to EELs," filed with letter from R. Milkman to M. Dortch (Nov. 18, 2002).

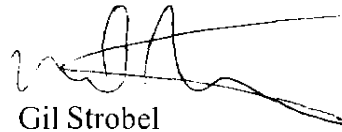
NO. 01-338, 96-98, 98-147
LIST ARODE

Marlene H. Dortch

Page 2

Pursuant to section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), two copies for each of the above referenced dockets and this letter are being provided to you for inclusion in the public record of the above-referenced proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gil Strobel', with a long horizontal flourish extending to the right.

Gil Strobel

cc: Jordan Goldstein